

### **304.16-070 Public employee groups.**

- (1) As used in this section, "employees" means employees of the United States government, or any state, or of any political subdivision or instrumentality of any of them, together with elective or appointed officers.
- (2) The lives of a group of individuals may be insured under a policy issued to any department or agency of the Commonwealth of Kentucky and its political subdivisions, state college or university, and school districts or to an association of public employees formed for purposes other than obtaining insurance and having, when the policy is placed in force, a membership in the classes eligible for insurance of not less than seventy-five percent (75%) of the number of employees eligible for membership in such classes, which association or departmental or agency head shall be deemed the policyholder, to insure members of such association or public employees for the benefit of persons other than the departmental or agency head, the association or any of its officials, subject to the following requirements:
  - (a) The persons eligible for insurance under the policy shall be all members of the association or employees of the department or agency, or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the association, or both. The policy may provide that "employees" includes retired employees.
  - (b) The premium for the policy shall be paid by the policyholder, either from the association's own funds, or from charges collected from the insured members or employees specifically for the insurance, or from both, or as may otherwise be authorized by existing or future legislation. Any charges collected from the insured members or employees specifically for the insurance, and the dues of the association if they include the cost of insurance, may be collected through deductions by the employer from salaries of the members or employees. Such deductions from salary may be paid by the employer to the association or directly to the insurer. No policy may be placed in force unless at least seventy-five percent (75%) of the then eligible members of the association or employees of the department or agency, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, have elected to be covered.
  - (c) Charges collected from the insured members or employees specifically for the insurance, and the dues of the association if they include the cost of insurance, shall be determined according to each attained age or in not less than four (4) reasonably spaced attained age groups. In no event shall the rate of such dues or charges be level for all members or employees regardless of attained age.
  - (d) The policy must cover at least ten (10) persons at the date of issue.
  - (e) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members, employees or by the association.

- (3) This section does not preclude the insuring of public employees under any other applicable provision of this subtitle.

**Effective:** June 18, 1970

**History:** Created 1970 Ky. Acts ch. 301, subtit. 16, sec. 7, effective June 18, 1970.